REMARKS/ARGUMENTS

By this amendment included with the Request for Continued Examination (RCE), Claims 1, 3, 6-7, 15, 18, 20, 23, 47, 49, 52-53, 61, 64, 66 and 69 have been amended. Claim 24 has been canceled. No claims have been added. Hence, Claims 1-23 and 47-69 are pending in the application. No new matter has been added.

I. INTERVIEW SUMMARY

Applicants thank Examiner Jason Dunham for the courtesy of conducting a telephone interview with Samuel Broda, Applicants' representative, on June 9, 2008 at 1:00pm Eastern Daylight Time. During the telephone interview a proposed claim amendment was discussed.

No agreement was reached at the conclusion of the interview, although Applicants' representative indicated a reply to the Office action would be filed.

II. ISSUES RELATING TO PRIOR ART

A. The Prior References

Previously, Claims 1-6, 8-9, 11-24, 47-52, 54-55 and 57-69 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over U.S. Pat. Pub. 2002/0062258 ("Bailey"), in view of U.S. Patent 7,082,426 ("Musgrove").

Previously, Claims 7 and 53 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Bailey in view of Musgrove, and further in view of U.S. Pat. Pub. 2006/0184430 ("Gavarini").

Previously, Claims 10 and 56 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Bailey in view of Musgrove, and further in view of U.S. Pat. Pub. 2005/0149390 ("Scholl").

B. Patentability Of Claims 1-23 and 47-69

Current independent Claim 1 recites the following (emphasis added):

A method for associating data with product abstractions comprising the steps of:
maintaining a repository of previously-generated product abstractions;
inspecting a first data set that includes data that corresponds to an offer to sell a particular product by a particular party, **wherein the first data set is not currently matched to any product abstraction and the particular product is not currently assigned to any product category**;
based on the first data set, assigning said particular product to a product category; and
matching said first data set with a product abstraction from said repository of previously-generated product abstractions based, at least in part, on the product category to which said particular product corresponds;
wherein the product abstraction is an electronic representation of a product.

Current independent Claim 47 is the corresponding machine-readable storage medium claim.

The references individually, and all combinations of two or more of {Bailey, Musgrove, Gavarini, Scholl}, fail to disclose or suggest current Claim 1.

Regarding Bailey, paragraph [0038] discloses use of a database that may "link each item in at least a portion of a catalog to one or more keywords associated with the item, and also to all attributes and acceptable attribute values for the item." In other words, the Bailey database links items to keywords and attributes. However, Bailey does not describe how the links between items and keywords were established. In contrast, Claim 1 is about how to match product offerings to a product abstraction in a pre-existing set of product abstractions.

Specifically, Bailey fails to satisfy the following express limitations of Claim 1: "**based on the first data set, assigning said particular product to a product category**" and "**matching said first data set with a product abstraction from said repository of**

previously-generated product abstractions based, at least in part, on the product category to which said particular product corresponds."

Instead, Bailey teaches how to use a pre-constructed, pre-populated database in performing parametric searches. See paragraph [0059] and Figs. 3A-3C describing the structure of database 6 used to "allow parametric searching on WECAP system 1012 to be accomplished in a relatively fast and efficient manner . . ." What Bailey then generates is an "order request" based on the user's selection of portions of the search results. See Abstract.

Adding Musgrove to Bailey fails disclose or teach Applicants' claimed features recited above. More importantly, the manner in which Musgrove determines attributes for each categorized product is fundamentally different from Claim 1's express limitation of "**matching said first data set with a product abstraction from said repository of previously-generated product abstractions based, at least in part, on the product category to which said particular product corresponds.**"

Musgrove's scheme to create product information records is best illustrated in Figs. 5 and 6. First, it should be noted that Musgrove relies on two sources of information, merchant's web pages 42 and manufacturer's product specification Web pages 46. In Fig. 6, merchant's web pages 42 are used to populate product offerings database 92. Each product in product offerings database 92 is then compared against the existing products database 26 and only records for new products (i.e. products not already in products database 26) are created in products database 26. See items 93, 94 and 95 on Fig. 6, and corresponding text at column 14 line 63 through column 15 line 11.

Once all records for a 'new' product (i.e. a product not already in products database 26) are located in the product information records, Musgrove then uses a property scraper module 810 to identify the attributes and determine the values of all attributes. See column 17 lines 4-9 and column 25 line 61 through column 26 line 33. The 'scraping' is performed against the product information records, _not_ products database 26.

Thus the combination of Bailey and Musgrove fail to reads on, and actually _teaches away_ from, Claim 1's feature of "**matching said first data set with a product abstraction from said repository of previously-generated product abstractions based, at least in part, on the product category to which said particular product corresponds**", because Musgrove looks for product abstractions only from the product information records, and _not_ from products database 26, as Musgrove attempts to place new entries in products database 26. Thus, Claim 1 (and the corresponding machine-readable storage medium of Claim 43) is neither disclosed nor suggested by the combination of Bailey and Musgrove.

Further, no combination of the references {Gavarini, Scholl} when added to the combination of Bailey and Musgrove disclose or suggest "matching said first data set with a product abstraction from said repository of previously-generated product abstractions based, at least in part, on the product category to which said particular product corresponds." Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of Claims 1 and 47.

III.   CONCLUSION

The pending claims not discussed so far are dependent claims that depend on an independent claim that is discussed above. Because each of the dependent claims include the limitations of claims upon which they depend, the dependent claims are patentable for at least those reasons the claims upon which the dependent claims depend are patentable. Removal of the rejections with respect to the dependent claims and allowance of the dependent claims is respectfully requested. In addition, the dependent claims introduce additional limitations that independently render them patentable. Due to the fundamental difference already identified, a separate discussion of those limitations is not included at this time.

For the reasons set forth above, Applicants respectfully submit that all pending claims are patentable over the art of record, including the art cited but not applied. Accordingly, allowance of all claims is hereby respectfully solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. If applicable, a law firm check for the petition for extension of time fee is enclosed herewith. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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